IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY NINTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4844 of 2005

Between:

1 A. Krishna Murthy, S/o. Late Rama Swamy,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
2 T.Sesi Vardhan, S/o. T.Ramulu,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
3 T. Ramesh Kumar, S/o. Late T. Rama Rao,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
4 T.Sridhar, S/o. T.Shankar Rao,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
5 B. Narsing Rao, S/o. Sailu,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
6 S. Satyanarayana, S/o. Kondaiah,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
7 R.V. Sridhar Murthy, S/o. Harinarayana Murthy,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
8 S. Naveen Kumar, S/o. S. hanmanlu,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
9 P. Ramu, S/o.P. Venkateshwar Rao,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
10 Y. Prabhavathi, W/o. jagadhishwar Rao,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
11 M.R.K. Srinivasa Rao, S/o. M.L. Devadanam,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
12 Bhavani Shankar, S/o. D Murali,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
13 P. Narsimlu, S/o. P. Yadaiah,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
14 P. Krishna Kumar, S/o. acluthan,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
15 T. Jangaiah, Yadav, S/o. Late T. Yellaiah Yadav,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
16 C. Venkatesh, S/o. Suryanarayana,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
17 P.N. Vijaya Kumar Kurup, S/o. K.K.N. Kurup,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.

18 M. Venkateswarulu, S/o. Govinda Swamy,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
19 D. Danial, S/o.Samuel,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
20 M. Leela Kumari, D/o. Late Venkateswara Rao.
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
21 M. Leela Kumari, D/o. Late Venkateswara Rao,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.
22 B.V. Ramana Kumai, W/o. D. Narsimha Rao,
R/o. Boduppal Vill, Ghatkesar Mandal, R.R.District.

..... PETITIONERS

AND

1 The Secretary, Boduppal Grampanchayat, Boduppal Village, Ghatkesar

Mandal,R.R.District.
2 The Sarpanch, Boudppal Grampanchayat, Boduppal Vill, Ghatkesar Mandal,

R.R.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an order, direction or writ more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not issuing the construction permission letters to the petitioners in pursuance of the respondent resolution dt. 30.10.2004 is illegal, arbitrary and unjust and consequently direct the respondents to issue construction permission letters in pursuance of the respondents resolution dt. 30.10.2004 to the petitioners and pass such other order or orders.

Counsel for the Petitioners:MR.G.RAVI MOHAN

Counsel for the Respondents: SMT.JYOTHI ESWAR GOGINENI

The Court made the following :

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THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.4844 OF 2005

O R D E R:

This writ petition is filed aggrieved by the alleged inaction on the part of the respondents in implementing the resolution dated 30-10-2004 passed by the Grampanchayat accepting the request of the petitioners for constructions of houses in Survey Nos.31 to 35 of Boduppal village in their respective plots. However, it is not disputed that the petitioners have not yet made any applications seeking building permits.

In the circumstances, having heard the learned counsel for both the parties, I deem it appropriate to dispose of the writ petition granting liberty to the petitioners to make appropriate applications before the first respondent seeking permission for the proposed constructions on the plots-in-question based on the Panchayat Resolution dated 30-10-2004. If any such applications are made, the first respondent shall consider the same and pass appropriate orders, in accordance with law, within a period of two weeks from the date of receipt of such applications and communicate the same to the petitioners. It is made clear that in case any adverse order is passed and the petitioners are aggrieved, it is open to them to challenge the same by working out the appropriate remedy as available under law. No costs.

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(**G. ROHINI, J**)

Date: 29-03-2005

ghn

To

1 The Secretary, Boduppal Grampanchayat, Boduppal Village, Ghatkesar

Mandal,R.R.District.

2 The Sarpanch, Boudppal Grampanchayat, Boduppal Village, Ghatkesar

Mandal, R.R.District.

3 2 CD copies

4 1 CC to MR.RAVI MOHAN

*Form-NIC-OGS/WP{**JGK**}*